

REMARKS

Claims 1, 3 and 6-13 are pending and await action on the merits. Claims 2 and 4-5 have been canceled without prejudice.

Claim 1 has been amended to recite that the hollow microparticle has a porous shell having pores, or may be a particle in which pores are closed so that a cavity is completely enclosed by the shell. Support for this amendment can be found in paragraph [0089]. Also, claim 1 has been amended to recite that the metal oxide complex is formed from at least one compound shown by the formula (2): R_aSiY_{4-a} . Support for this amendment can be found in [0073]-[0074].

No new matter has been added by way of the above-amendment.

Issues Under 35 U.S.C. §§ 102(b and 103(a)

The following rejections are pending:

- (A) Claims 1, 3, 6 and 7 stand rejected under 35 U.S.C. § 102(b) as anticipated by Shoshi *et al.*, U.S. Patent Application Publication No. 2003/0104188 (hereinafter “Shoshi ‘188”);
- (B) Claims 8 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shoshi ‘188 in view of Murakami *et al.*, U.S. Patent No. 5,681,900 (hereinafter “Murakami”);
- (C) Claims 9, 10, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shoshi ‘188 in view of Nakamura *et al.*, U.S. Patent Application Publication No. 2001/0035929 (hereinafter “Nakamura”); and
- (D) Claims 1, 3 and 6-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishida *et al.*, JP 2001-233611 (hereinafter “JP ‘611”) in view of Nakamura.

Applicants respectfully traverse the rejections.

In order to further distinguish from the cited references, Applicants have further amended claim 1 to recite that the hollow microparticle has a porous shell having pores, or may be a particle in which pores are closed so that a cavity is completely enclosed by the shell. Also,

claim 1 has been amended to recite that the metal oxide complex is formed from at least one compound shown by the formula (2): R_aSiY_{4-a} .

In using the compound of formula (2): R_aSiY_{4-a} , the refractive-index of the low-refractive-index layer is lowered (i.e. the reflectance of the polarizing plate protective film is lowered). The resulting polarizing plate protective film has an excellent antireflection function. Moreover, the polarizing plate protective film has an excellent stainproof property by using the compound shown by the formula (2): R_aSiY_{4-a} . These features are neither taught nor fairly suggested in the cited references.

As evidence of the improved decrease in reflectance and the improved stainproof property, Applicants plan to submit a Declaration under 37 CFR 1.132 in a future communication.

We now turn to the teachings of the cited references.

i) Shoshi '188

Shoshi'188 teaches a film for optical applications comprising a substrate-base film and with a low refractive index layer which exhibits excellent scratch resistance so it is a protective film.

However, Shoshi'188 does not disclose using the compound shown by the formula (2): R_aSiY_{4-a} which has a perfluoroalkyl group as a raw material of the low-refractive-index layer.

As such, significant patentable distinctions exist between the teachings of Shoshi '188 and the presently claimed invention.

ii) JP '611

JP '611 teaches a structure that can comprise a base material, a hard coating film and a coating film, which can be used on the surface of a LCD panel or other type of base material, and the coating film is a low refractive index layer with a refractive index of 1.20 to 1.42 and can compose hollow silica particles with a shell that seals the cavity.

However, JP '611 does not disclose using the compound shown by the formula (2): R_aSiY_{4-a} as a raw material of the low-refractive-index layer as presently claimed. As such,

significant patentable distinctions exist between the teachings of JP '611 and the presently claimed invention.

iii) Nakamura

Nakamura teaches that when antireflection film is attached to a LCD, it is preferable to use it as one or two protective films for a polarizer plate, which is then adhered to the screen.

However, Nakamura does not disclose using the compound shown by the formula (2): R_aSiY_{4-a} as a raw material of the low-refractive-index layer, as presently claimed. As such, significant patentable distinctions exist between the teachings of Nakamura and the presently claimed invention.

As the MPEP directs, all the claim limitations must be taught or suggested by the prior art to establish a *prima facie* case of anticipation or obviousness. See MPEP §§ 2131 and 2143.03. In view of the fact that Shoshi et al. '188, Murakami, Nakamura et al. and JP '611 fail to teach or fairly suggest a polarizing plate protective film which comprises a compound shown by the formula (2): R_aSiY_{4-a} as a raw material of the low-refractive-index layer of the polarizing plate protective film, as presently claimed, a *prima facie* case of anticipation or obviousness cannot be said to exist.

As such, reconsideration and withdrawal of the rejections are respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/584,412
Amendment dated April 23, 2009
Reply to Office Action dated October 23, 2008

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By 

Garth M. Dahlen

Registration No.: 43,575

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant